IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

FRIDAY THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

: PRESENT:

THE HON'BLE **MR. DEVINDER GUPTA** THE CHIEF JUSTICE

AND

THE HON`BLE MS. JUSTICE: **G. ROHINI**

AND

THE HON`BLE MR. JUSTICE: **L. NARASIMHA REDDY**

CIVIL REVISION PETITION No.5842 of 2004

(Petition under Section 115 of the Constitution of India to revise the order of the Court of the Senior Civil Judge, Miryalaguda, and passed in C.M.A. No. 11 of 2001 dated: 21-07-2003 preferred against the order of the Court of the Junior Civil Judge, Huzurnagar, and passed in E.A. No. 51 of 2000 in E.P. No. 60 of 1999 dated: 30-03-2001)

Between:

Gurram Seetharam Reddy, S/o. Gurva Reddy,
R/o. Huzurnagar Village and Mandal, Nalgonda District.

..Petitioner

AND

1. Gunti Yashoda, W/o. Sreenu, R/o. Huzurnagar Village and Mandal, Nalgonda District.
2. Anabathula Kanakamma, W/o. Chandraiah, R/o. Huzurnagar Village and Mandal, Nalgonda District.

Respondents

The petition coming on for hearing, upon perusing the petition and Memo of grounds filed in support thereof and upon hearing the arguments of Mr. P. Prabhakar Rao, Advocate for the Petitioner; and Court appointed Mr,. Challa Sitaramaiah, learned Senior Counsel as amicus curiae to assist the Court in answering the question as framed in the order dated: 24-06-2004, the Court made the following

ORDER:

"The question referred to the Full Bench is such that it needs consideration respondents were served before the learned single judge by substituted service, but they failed to enter appearance. As such, there is no assistance to the Full Bench from opposite side.

Though the petitioner might have his own viewpoint on the question referred, we would like to appoint Mr. Challa Sitaramaiah, learned Senior Counsel as amicus curiae to assist the Court in answering the question as framed in the order dated: 24-06-2004.

Registry will make available the paper-book to Mr. Challa Sitaramaiah. His name be shown in the cause list.

List on 16-07-2004".

ASSISTANT REGISTRAR

// TRUE COPY //

For ASSISTANT REGISTRAR

To

1. The Senior Civil Judge, Miryalaguda, Nalgonda District.
2. The Junior Civil Judge, Huzurnagar, Nalgonda District.
3. Gunti Yashoda, W/o. Sreenu, R/o. Huzurnagar Village and Mandal, Nalgonda District.
4. Anabathula Kanakamma, W/o. Chandraiah, R/o. Huzurnagar Village and Mandal, Nalgonda District.
5. Mr. Challa Sitaramaiah, learned Senior Counsel, High Court of A.P., Hyderabad. **(BY SPECIAL MESSENGER with a copy of petition and affidavit and material papers)**
6. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 09-07-2004

HCJ
&
RGJ
&
LNRJ

DATE: 09-07-2004

NOTE: LIST ON 16-07-2004

ORDER

C.R.P. NO. 5842 OF 2004